

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JESSIE WAYNE MENDENHALL,)	
)	
Plaintiff,)	
)	
vs.)	NO. CIV-24-0115-HE
)	
STATE OF OKLAHOMA,)	
)	
Defendant.)	

ORDER

Plaintiff Jessie Wayne Mendenhall, a state prisoner proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 1983, asserting violations of his constitutional rights. On March 5, 2024, U.S. Magistrate Judge Suzanne Mitchell issued a Report and Recommendation recommending the denial of plaintiff's applications to proceed in forma pauperis and the dismissal without prejudice of this action unless plaintiff pays the full \$405 filing fee within twenty-one days from the date of any order adopting the Report and Recommendation. Plaintiff was advised of his right to object to the Report and Recommendation by March 26, 2024. No objection has been filed. Plaintiff has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

Accordingly, the court **ADOPTS** Magistrate Judge Mitchell's Report and Recommendation [Doc. #10], **DENIES** plaintiff's Applications for Leave to Proceed in Forma Pauperis [Doc. #2, 6, and 9], and **ORDERS** plaintiff to pay the full \$405 filing fee within twenty-one (21) days of the date of this Order. Plaintiff is advised that if he does

not pay the full \$405 filing fee within **twenty-one (21) days** of the date of this Order, this action will be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 11th day of April, 2024.



JOE HEATON
UNITED STATES DISTRICT JUDGE